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Butler, David

From: Butler, David
Sent: Wednesday, December 30, 2020 4:04 PM
To: chad.burgess@dominionenergy.com; Grube-Lybarker, Carri; Bateman, Andrew; Hamm, Steven; Huber, Christopher; Knowles, Alex; mwilloughby@willoughbyhoefer.com; Belton T. Zeigler; kathryn.mansfield@wbd-us.com; manzelmo@mcguirewoods.com; matthew.gissendanner@dominionenergy.com; fknapp@knappagency.com; emily.w.medlyn.civ@mail.mil; alex@shissiaslawfirm.com; bguild@mindspring.com; dori.jaffe@sierraclub.org; Hall, Roger; adam@scjustice.org; seaton@spilmanlaw.com; dwilliamson@spilmanlaw.com; Scott Elliott (sellott@elliottlaw.us); john@johncoffman.net; klee@selcsc.org; Parker, Connor; dneal@selcnc.org
Cc: Wessinger-Hill, JoAnne
Subject: Important Information with Regard to the Dominion Rate Case Hearing that begins on Tuesday, January 5, 2021 at 10 am

To the Parties:

I am sending several documents this e-mail that are of great importance to you as parties in the Dominion Rate Proceeding. The first document has to do with General Procedure in the Dominion Rate Case. Please read this carefully, as it provides specific instructions to the parties about the procedural for this virtual hearing. The second document is what I call the "Cast of Characters" document, which is a list of all the parties, their attorneys, and their witnesses. I have also attempted to describe each testimony for each witness. No one has objected to a witness delivering direct and rebuttal or direct and surrebuttal testimony at the same time while on the virtual witness stand, so please do so. If a witness has Supplemental or Responsive testimony on the proposal to modify certain sections of the Company's General Terms and Conditions, that testimony may be provided at the same time as the other testimony. Please note that on the first day of the hearing, the Chairman will call for oral arguments on the outstanding motions in the case. I am also sending a list of the e-mail addresses of all attorneys known to us to be involved as counsel in the case. This is for your use in providing cross-examination exhibits to the parties. Thank you in advance for your consideration on all of these matters. You will be contacted separately by Mr. Erskine of our Staff if you have requested IT testing prior to the hearing. Please let us know if there are any other matters that may need attention. JoAnne Hill, Esquire and I will be sharing responsibilities in this case for the Commission Staff on the legal side.

Regards,

David Butler

Special Counsel and Chief Hearing Officer

General Procedure: This is the general procedure for the Dominion Rate Case (but subject to change and adjust as needed by the Chairman or Commission during the course of the hearing to provide due process and develop the underlying record for the Commission to base a decision):

- (1) **Gather prior to the start of the hearing (at 9:00 a.m. virtually) ready with all witnesses to present case when Hearing called to order by the Chairman.** On Tuesday, January 5, 2020, this is 9:00 a.m. The time may vary each day of the hearing and you are asked to plan to appear at least 40 minutes to one hour prior to the start time of the hearing. This means that all parties and their witnesses must virtually appear on their respective computers/telephones at 9:00 a.m. on the first day, and Mr. Erskine will have already sent an email or otherwise communicated with you on the method of media that will be used. If you have not received an e-mail, please contact him and/or check your spam. Mr. Erskine can be reached at 803-896-5100 or 803-896-5104 and his email is Randy.Erskine@psc.sc.gov.
- (2) **Advise the PSC Attorney (David Butler or JoAnne Hill) of any preliminary matters that may have arisen other than those described below as soon as possible.**
- (3) **CHAIRMAN:** Once the **hearing is called to order** by the Chairman of the Commission, this is the following general order:
 - a. Call to Order – by Chairman Williams
 - b. Commissioner Roll Call:
 - District No. 1 – Carolee Williams
 - District No. 2 – Florence Belser
 - District No. 3 – Mike Caston
 - District No. 4 – Tom Ervin
 - District No. 5 – Headen Thomas

District No. 7 – Delton Powers
District No. 6 – Chairman Justin Williams

c. Reading of the Docket –

Thank you, Mr. Chairman. Good morning!

Mr. Chairman and other Commissioners, this proceeding before the Public Service Commission in Docket No. 2020-125-E concerns the Application of Dominion Energy South Carolina, Incorporated for an increase in electric retail rates.

Please take notice this virtual hearing on this matter has been scheduled to begin today, Tuesday, January 5, 2021, and it will be continuing each day thereafter at the call of the Chair. This is a virtual hearing due to the Covid-19 pandemic and state of emergency. I am advised by our IT people that all technical facilities are working.

Mr. Chairman and other Commissioners, the docket is in order.

d. Appearances (counsel introductions and parties represented)

e. Preliminary matters --

(1) Oral Arguments on Partial Motions for Summary Judgment by ORS and DOD, and Motion for Joinder by DOD. Other parties may respond as appropriate.

(2) Oral Arguments on Dominion’s “Motion to Strike Impermissible Expert Testimony.” Other parties may respond as appropriate.

(3) Requests for Protection for witnesses:

a. For Dominion, witness Mr. Whiteley will not be available to testify on January 8, 2021. If Mr. Whiteley has not testified by January 8, 2021, then DESC will be prepared to call him to testify on January 11, 2021;

b. For the Department of Defense, witness Dr. Zhen Zhu’s teaching schedule conflicts with the hearing dates scheduled for January 12, 2021 and January 14, 2021. If possible, DOD requests protection for Dr. Zhu from testifying on those dates;

c. For the Department of Consumer Affairs, witness David E. Dismukes has a conflict for January 13, 2021, and the Department requests protection for Mr. Dismukes from testifying on that date.

(4) Proposed Orders – Due January 25, 2021.

(5) Other preliminary matters?

f. Applicant DESC calls first witness and witness will be sworn (the Commission will be able to clearly see the witness)

i. One witness at a time (computer video camera must be on). All other witnesses must be ready and on standby to be called and ready to “cut on” or open computer video camera (buttons at bottom screen of computer).

ii. Upon conclusion of questions, corrections, and introduction of exhibits by company, then cross examination by other parties and/or Commissioners.

iii. Redirect (if any)

iv. Re-cross (if any re-direct)

v. Witness “steps down from witness stand” or is released at the discretion of the Chairman and Witness shall cut off computer video camera.

vi. NEXT WITNESS CALLED AND REPEAT ITEMS i.-v. ABOVE UNTIL ALL WITNESSES HEARD AND DESC PRESENTS/CONCLUDES CASE.

g. Intervening Parties and ORS are called one at a time to present their case or witness(es), in the order presented in the attached “Cast of Characters.”

h. Intervenor/ORS will call first witness and witness will be sworn (the Commission will be able to clearly see the witness)

i. One witness at a time (computer video camera must be on). All other witnesses must be ready and on standby to be called and ready to “cut on” or open computer video camera (buttons at bottom screen of computer).

ii. Upon conclusion of direct preliminary questions, corrections, and introduction of any exhibits, then cross-examination by other parties and/or Commissioners.

iii. Redirect (if any)

iv. Re-cross (if any re-direct)

v. Witness “steps down from witness stand” or is released at the discretion of the Chairman and the witness’ video camera shall be cut off.

vi. NEXT WITNESS CALLED AND REPEAT ITEMS i.-v. ABOVE UNTIL ALL WITNESSES HEARD AND PARTY PRESENTS/CONCLUDES CASE.

h. Next Intervenor.

i. Closing Remarks (if any), including any evidentiary matters, motions, confirmation of exhibits and numbering, proposed orders due date; and other matters.

(4) Conclusion of Virtual Hearing

Parties: You must “MUTE” your speaker or microphone on the computer and will use the telephone to speak. Look at the directions provided by Mr. Erskine. You will do both (Webex and call into hearing).

Note: The Commission will have a hearing for members of the public in the Docket beginning at 1 pm on Tuesday, January 5, 2020. The Commission will also have an evening public hearing in the Docket beginning at 6 pm on Thursday, January 7, 2020.

EXHIBITS:

All counsel should have copies of the pre-filed Exhibits available for your witnesses to reference during the course of the hearing.

CROSS-EXAMINATION/IMPEACHMENT EXHIBITS:

If you have any cross-examination exhibits/impeachment exhibits, the following is the process that has been used with virtual hearings so that the Court Reporter will have the exhibits and a PDF copy. Please send any cross-examination exhibits that are not already pre-filed to Mrs. Wheat in the following manner:

- (1) 10 paper copies of each numbered “cross examination” exhibit in a sealed envelope; and
- (2) an electronic pdf version of each individual number exhibit scanned and sent to her at her email address: “jo.wheat@psc.sc.gov.”

Please use the Reference Line in your email that will identify which party is sending the cross-examination exhibits — “DN 2020-125-E CROSS EXAMINATION EXHIBITS FOR [INSERT PARTY NAME].” The Exhibits, both hard copies and pdfs, need to be delivered to the Commission or to Ms. Wheat's email **by Monday, January 4, 2021 at 10 am.**

The scans/PDFS of each exhibit need to be individually provided and emailed. For example, if there are three (3) exhibits, then there will be three scans or pdf documents. The scan/pdf will be sent to the Commissioners (and all attorney representatives via email address) electronically at the time when the specific exhibit is introduced by the party or identified by the witness so that each commissioner has a copy. The hard paper copies will be distributed to the

Commissioners and staff in the hearing room and in their offices due to COVID-19. Remember to number each exhibit. The attorney presenting the evidence is responsible for presenting and sharing the exhibit with the opposing counsel and related witness (just like in the courtroom). The attached spreadsheet gives you everyone's email address. This procedure DOES NOT apply to pre-filed Exhibits as those are in the DMS, and available to all parties at the time of filing. No cross-examination exhibits will be provided by Commission Staff or the Court Reporter until the introducing party so advises.

20. See you at the virtual hearing!

Docket No. 2020-125-E

Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges (*This filing includes a request for an increase to retail electric rates) (See Commission Order No. 2020-313)

January 5, 2021

Attorneys

I. APPLICANT

Dominion Energy South Carolinas, Incorporated

Witnesses:

1. P. Rodney Blevins (Direct and Rebuttal)
2. Cristina Freeman (Rebuttal Only)
3. W. Keller Kissam (Direct and Rebuttal)
4. Iris N. Griffin (Direct and Rebuttal)
5. J. Vander Weide (Direct and Rebuttal)
6. Steven M. Fetter (Rebuttal Only)
7. R. Scott Parker (Rebuttal Only)
8. David A. Whiteley (Rebuttal Only)
9. Regina L. Elbert (Direct and Rebuttal)
10. Zachary D. Long (Direct and Rebuttal)
11. John J. Spanos (Direct and Rebuttal)
12. Keith C. Coffey, Jr. (Direct and Rebuttal)
13. Kevin R. Kochems (Direct and Rebuttal)
14. Henry E. Delk, Jr. (Rebuttal Only)
15. James W. Neely (Rebuttal Only)
16. Alison Nawrocki (Rebuttal Only)
17. Allen W. Rooks (Direct, Rebuttal, and Supplemental)

Mitchell M. Willoughby
Michael Anzelmo
K. Chad Burgess

Matthew W. Gissendanner
Belton T. Zeigler
Kathryn S. Mansfield

II. INTERVENORS:

A. CMC Steel – South Carolina

Witnesses: None

Alexander G. Shissias

B. Sierra Club

Witness:

1. Dr. Elizabeth A. Stanton (Direct and Surrebuttal)

Robert Guild
Dorothy E. Jaffe

C. Department of Defense and All Other Executive Agencies

Witnesses:

1. Zhen Zhu (Direct and Surrebuttal)
2. Mark Garrett (Direct and Surrebuttal)

Emily W. Medlyn

D. Department of Consumer Affairs

Witnesses:

1. Scott Hempling (Direct, Surrebuttal, and Responsive)
2. Aaron Rothschild (Direct and Surrebuttal)
3. David Dismukes (Direct and Surrebuttal)

Carri Grube Lybarker

Roger Hall
Connor J. Parker

- E. Frank Knapp, Jr.
pro se
- F. Walmart, Inc.
Witness: Derrick Price Williamson
Stephanie U. Eaton
- 1. Lisa V. Perry (Direct and Surrebuttal)
- G. AARP
Witness: Adam Protheroe
John B. Coffman
- 1. Scott J. Rubin (Direct and Surrebuttal)
- H. South Carolina Energy Users Committee
Witnesses: Scott Elliott
- 1. Edward G. McGavran (also S.C. Dept. of Consumer Affairs) (Direct and Surrebuttal)
- 2. Kevin O'Donnell (Direct and Surrebuttal)
- I. South Carolina Coastal Conservation League
Southern Alliance for Clean Energy
Witnesses: None
- Kate Lee Mixson
David L. Neal
- III. Office of Regulatory Staff
Witnesses: Steven W. Hamm
Alexander W. Knowles
Andrew M. Bateman
Christopher M. Huber
- 1. Ryder C. Thompson (Revised)
- 2. Anthony M. Sandonato
- 3. Dr. J. Randall Woolridge (Direct and Surrebuttal)
- 4. Daniel F. Sullivan (Direct and Surrebuttal)
- 5. William C. Kleckley (Direct and Surrebuttal)
- 6. Anthony D. Briseno (Direct and Surrebuttal)
- 7. David J. Garrett (Direct and Surrebuttal)
- 8. Lane Kollen (Direct and Surrebuttal)
- 9. Brandon S. Bickley (Direct and Surrebuttal)
- 10. Michael L. Seaman-Huynh (Direct, Surrebuttal, and Supplemental)

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